



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/052,744	03/31/98	HAMDI	R CCC1P020/P15

LM02/0926
GARY R. STANFORD
AKIN GUMP STRAUSS HAUER & FELD, LLLP
816 CONGRESS AVENUE
SUITE 1900
AUSTIN TX 78701

EXAMINER

ELAMIN, A

ART UNIT

PAPER NUMBER

2782

DATE MAILED:

09/26/00

14

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

DN

Office Action Summary

Application No.
09/052,744

Applicant(s)
HAMDI et al

Examiner
Abdelmonlem Elamin

Group Art Unit
2782



☒ Responsive to communication(s) filed on Jul 11, 2000

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) 1-4, 6-8, and 10-24 is/are pending in the application

Of the above, claim(s) _____ is/are withdrawn from consideration

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-4, 6-8, 10, 11, 14, 17, 18, 23, and 24 is/are rejected.

☒ Claim(s) 12, 13, 15, 16, and 19-22 is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

Art Unit: 2782

Response to Amendment

1. This response to amendment filed on Jul. 11, 2000 (*paper #13*).
2. Claims 1-4, 6-8 & 10-24 remain for examination.
3. The text of those sections of title 35 US Code not included in this action can be found in a prior office action.
4. Claims 1-4, 6-8, 10, 11, 14, 17, 18, 23 & 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burnett et al, U.S. Pat. No. 5,870,080 (*as discussed in paragraph 5 of the previous office action paper # 11*).
5. Claims 12, 13, 15, 16 & 19-22 are objected to as being dependent on a rejected base claim, but would be allowable if written in independent form including all limitations of the base claim and any inverting claim (*as discussed in paragraph 14 of the previous office action paper # 11*).
6. Applicant's arguments filed on Jul. 11, 2000 (*paper #13*) have been fully considered but they are not deemed to be persuasive for the following reasons:
7. **In the remarks**, the applicant argues as follows:

Barnett does not teach, disclose, or otherwise suggest the following limitations:

 - a- a peripheral hub device [*page 5, REMARKS*];
 - b- an upstream port [*page 5, REMARKS*], and
 - c- a radio frequency transceiver [*page 6, REMARKS*].

Art Unit: 2782

8. The examiner responses as follows:


- a-* Burnett's system is capable of sending and receiving signals between the transceiver and any device (*being a peripheral device or a peripheral hub device*) having corresponding transceiver [see col. 7, lines 28-31, 55-56].
- b-* Burnett teaches an upstream port [see port 111 of Fig. 4].
- c-* Burnett teaches using radio frequency transceiver [see col. 5, lines 1-2].

9. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CAR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CAR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Abdelmoniem I. Elamin

September 25, 2000


THOMAS C. LEE
SUPERVISORY PATENT EXAMINER
GROUP 2780